



**Town of Framingham  
Police Department**

## Policy on Booking and the Holding Facility #400-2

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**Level:** Public Safety ( )      Police Division ( X )      Town Wide ( )

### Policy Statement

The proper operation of the police lockup is critically important to the safety of police personnel and the well being of prisoners or detainees. By statute, the obligation to maintain a lockup includes the provision of any prescribed medication and nutritionally adequate meals.<sup>i</sup> In addition, detailed statutory requirements exist concerning suicide prevention.<sup>ii</sup> The department is committed to operating a safe and sanitary lockup facility.

### References

None

### Special Terms

None

Shift Commander: the highest-ranking officer responsible for operations on a particular shift.

**Strip Search:** Any search which requires the removal or re-arrangement of any clothing so as to expose or permit the visual observation of a person's buttocks, anus, genitalia or breast area. This generally refers to an inspection of a naked individual, without any scrutiny of his body cavities.

**Body Cavity Search:** Any search involving not only visual inspection of skin surfaces but that also includes the internal physical examination of body cavities including the anal and genital areas.

**Probable Cause:** Probable cause exists where, at the moment of arrest, the facts and circumstances within the knowledge of police are enough to warrant a prudent person in believing that the individual arrested has committed or was committing an offense.

## **Policy**

### **I. MANAGEMENT AND ADMINISTRATION**

- a. The Chief of Police shall designate an officer to be responsible for the management and administration of the Lock-Up and Holding Facility.
- b. The Shift Commander shall personally book and process all prisoners, unless the performance of some supervisory function prevents him or her from doing so. In such cases, the Shift Commander shall personally review the booking and notify the Deputy Chief of Operations via e-mail as to why he or she was unable to personally perform the booking.
- c. The Booking Report shall be kept as the permanent record of the arrest. Information contained in the arrest records will only be disseminated in accordance with the provisions of Criminal Offender Record Information (C.O.R.I.) Law<sup>iii</sup> and the Fair Information Practices Act (F.I.P.A.).<sup>iv</sup>
- d. Juvenile Arrest Records shall be maintained separate from Adult Arrest Records.
- e. All officers shall be trained in accordance with the Massachusetts Police Training Committee's guidelines for detaining prisoners in a short term holding facility. All newly hired officers will receive this training before completion of their Field Training Program. All officers will receive this training every three years. Training shall include:
  1. Security measures and procedures

2. Fire suppression and other equipment used by the Department (example: CCTV, panic alarm system, and Morse Watchman)
3. Prisoner rules and regulations
4. Legal issues
5. Detention procedures for unusual or special prisoners
6. Females
7. Juveniles
8. Mentally disturbed individuals
9. Handicapped persons
10. Suicide Prevention in accordance with G.L. c. 40 § 36c
11. Restraint Chair and other restraint devices
12. Location of breathalyzer and booking system

## **II. SAFETY AND SANITATION**

- a. The facility shall be equipped with both an automatic fire alarm and a heat and smoke detection system that are approved in writing by state or local fire officials.
- b. A documented inspection of the Holding Facility will be conducted at least weekly by the Chief's designee to ensure that the facility is secure and is being maintained in a sanitary manner. The results of this check will be recorded on the back of the 'Prisoner Time Check Log' The inspecting officer shall:
  - i. Inspect the doors, locks, ventilator covers, light fixtures, cell toilets, audio and video equipment, and beds of all cells for operational wear and detainee tampering. This check shall also include a search for any weapons or contraband hidden in the holding areas.
  - ii. Inspect all emergency medical equipment located within the holding facility, and replace any missing items.
  - iii. Weekly visual inspection of the fire equipment

## **III. SECURITY AND CONTROL**

- a. In order to provide for the proper security and control of the Holding Facility, all members of the Department shall strictly adhere to the following procedures:
- b. All unoccupied cells shall be left unlocked and in fully open positions so as to ease the confining of a prisoner after booking.
- c. Officers entering the cell area must carry a cell door key in the event of an emergency.

- d. Officers may enter the cellblock area only when monitored on the video and/or audio monitors, or when their assistance is requested by an officer already in the area.
- e. An officer may only enter an occupied cell when accompanied by at least one other officer, or when releasing a prisoner from custody.
- f. Panic alarm buttons are installed in the cell areas. In the event of an emergency, the officer may press one of these buttons to summons assistance. The alarm can be silenced from the control panel located in the booking area. (the reset code is labeled on the panel).
- g. In the interest of proper security, all doors to and within the holding facility (except doors to cell areas and the upper side counter), including sallyport doors will be secured. In addition, no one will be allowed into the booking area that is not needed to assist in the process.
- h. No firearms are allowed in the booking room or cellblock areas of the holding facility at any time during the processing or detention of prisoners.
- i. All persons who are to be detained in the holding facility shall be thoroughly searched, for weapons and contraband, and their personal property shall be inventoried and stored in a secured locker.
- j. Prior to placing a prisoner in a cell within the holding facility, the officer handling the prisoner shall conduct a security search of the cell (or other temporary detention areas within the holding facility), including a search for weapons and contraband. Any unusual conditions observed shall be reported to the shift commander. A similar search shall be conducted whenever a prisoner is released from custody. Any damage or unusual conditions found shall be reported in the same manner and the arrestee appropriately charged.
- k. Whenever an officer closes a cell door to incarcerate a prisoner, he shall test the door to be sure it is securely locked. After relocating the prisoner, any problems in securing a cell door should be reported to the shift commander, who will file a written report to the chief.
- l. Officers/Employees are prohibited from using the cell toilets and sinks.

#### IV. Prisoner Monitoring

- a. Video monitors installed in the dispatch area shall be turned on whenever a person is placed into one of the cells in the holding facility and shall be left on as long as any one is being detained there. The officer/dispatcher/clerk assigned to the office will conduct a *visual* check of the video monitoring system every 15 minutes and record his/her PSN in the time box on the "Prisoner Time Check Log".
- b. Cell # 15 in the male section, #17 in the juvenile section and #20 in the female section have a microphone/speaker built into their ceilings. The microphone allows continual audio monitoring of subjects inside these cells. The audio monitoring of suicidal prisoners is **required by state law**. Suicidal prisoners must be placed in one of these cells if available (placing non-risk prisoners in these cells should be done as a last resort). Shift commanders should also place prisoners with elevated medical risks in these cells
- c. The component that allows listening /speaking to a prisoner is located between Dispatch positions #1 and #2. There are 3 audio zones that correspond to each one of the 3 cells (there are actually 4 available but only 3 are operational). When placing a prisoner in one of these cells it is important that you check the volume on the component to ensure it is turned up sufficiently to hear. There is a push to talk feature that allows you to communicate with the prisoner
- d. It is the responsibility of the Shift Commander to ensure the proper monitoring of all persons held in the holding facility.
- e. There is no attempt in this procedure to violate the personal privacy rights of individuals held in the facility. Therefore:
  - When a prisoner speaks to his attorney or a relative, any audio listening device will be turned off during the visit.
  - When a prisoner is using the toilet facility, the audio devices will be turned off.
  - The monitoring devices are never to be used for covert purposes.

- f. The Shift Commander or his designee shall be responsible to ensure that a physical check is made of the cellblock area at least every 30 minutes whenever a prisoner is being detained. The officer conducting the checks shall scan the sensors located throughout the holding facility with the handheld scanning device (Morse Watchman). Once these sensors are scanned, the handheld scanner will register verification that the check was conducted.
- g. Except in the case of a suicidal person, it will be up to the discretion of the Shift Commander to determine if constant or more frequent monitoring than the 30-minute intervals is needed.
- h. When a suicidal person is to be held in the holding facility, the Shift Commander shall ensure **continuous audio/video** monitoring of the detainee. If an overt act is observed that would indicate a suicidal attempt, physical checks will be conducted more frequently than the 30-minute intervals as determined by the Shift Commander. Observation and/ or physical checks must minimally comply with the statutory standards.<sup>v</sup>
- i. Upon each change of shifts, the incoming Shift Commander shall be informed by the outgoing Shift Commander as to the number of prisoners being detained in the holding facility. The incoming Shift Commander shall do a physical check to verify the number of persons being held.
- j. No tools or culinary equipment will be allowed in the cellblock area, except with the specific authorization of the Shift Commander. All tools and culinary equipment shall be counted before being introduced into the cellblock and re-counted upon collection. In the event a tool or utensil is missing, the cellblock shall be thoroughly searched until it is recovered.

## V. MEDICAL SCREENING AND TREATMENT PROCEDURES

- a. All officers shall follow the guidelines listed below in attending to the medical needs of a prisoner.
- b. The prisoner shall, upon arrival at the station, be received and screened by the Booking Officer. This screening shall consist of compliance with the Suicide Prevention Law<sup>vi</sup>, as well as a brief inquiry into: the current health of the prisoner; any medications being taken; behavioral observations, including consciousness and mental status; and, a notation of any obvious body deformities, trauma markings, bruises, etc. All observations shall be noted on

the remarks section of the booking form. Upon release or transfer of the prisoner, the prisoner shall be re-checked and any changes from the condition upon entry into the facility shall be further noted on the form.

- c. In compliance with the statute requiring an examination of prisoners by the Shift Commander of the police station, if [s] he is not the Booking Officer, shall examine the prisoner for cuts, bruises or other injuries.<sup>vii</sup> If any injuries do exist, the Shift Commander shall inquire as to whether these injuries were sustained during or prior to the arrest. [S] he shall instruct the Booking Officer to make a notation of the injuries on the intake form, and file a written report to the Chief.
- d. A first aid kit shall be maintained in a prominent location within the holding facility and shall contain material necessary for light emergency medical treatment.
- e. When a prisoner is in need of medical attention, the Shift Commander (or designee) shall immediately notify the Fire Department and EMS. A notation shall be made on the booking form of the fact and list any medical assistance received by a prisoner. If the person is transported to the hospital the time of transport will be noted on the booking sheet.
- f. When transporting a prisoner by ambulance, a police officer shall accompany the ambulance. The officer will remain with the prisoner at the hospital until [s]he is released from custody by the bail commissioner.
- g. Prisoners are permitted to take any prescription or over the counter medications necessary, provided that the administration of the drug is requested by the prisoner, and consistent with the prescription (if any).
- h. Any medications brought in by a prisoner, or given to him in the course of any treatment he may require while in department custody, shall be retained with the prisoner's property.
- i. If there is any question concerning the administration of medications, the officer-in-charge may either confer by telephone with a qualified medical physician before administering the medication, or the prisoner may be transported to the hospital and the medication administered there.

- j. The Shift Commander shall ensure that a notation is made on the prisoner's booking sheet, identifying the medication provided and indicating the date and time it was administered.

## VI. PRISONER PROCESSING

- a. When officers transporting a prisoner arrive at the police facility, they shall notify the dispatcher over the cruiser radio of their arrival.
- b. All Prisoners will be brought into the station through the sally port
- c. Once an officer enters the sally port, they will advise the dispatcher to close the sally port door to secure the port.
- d. Once the sally port door is closed and secure the officer will exit the cruiser and (while prisoner is still inside the cruiser) secure his/her firearm *and* cruiser keys in the gun locker located in this area.
- e. Officer will then remove prisoner from cruiser and request dispatcher to electronically unlock the door leading into the booking area.
- f. Prisoners will be brought to the booking desk and secured to the Murphy Bar. If there are multiple prisoners, the officer will re-enter the sally port and retrieve the other prisoner and either secure him/her to the long Murphy Bar (along the wall) or if disruptive, place him/her into the holding cell.
- g. Under no circumstances will any firearm be allowed in the actual holding cell areas. Officers who enter these areas will secure their firearms in the prisoner property lockers located behind the booking desk **or the firearms lockers located outside commanding officers office near the doorway to the booking area as well as the lockers outside the interview room located just outside booking area.**
- h. Upon completion of the booking process, officers will place prisoners in the designated cell before bringing additional prisoners to the booking desk. If there are no other prisoners, officers will exit booking area via sally port door, retrieve weapon and cruiser keys from the secure locker
- i. Female prisoners will be segregated from male prisoners and placed in the detention cells designated for females.
- j. The prisoner will be informed orally by the booking officer that he has the right to use the telephone, and that he will be allowed to



exercise this right upon completion of the booking process, or within one hour of his arrival at the station, whichever first occurs.<sup>viii</sup>

## VII. PRISONER SEARCHES

- a. In the presence of the Booking Officer, and prior to the removal of handcuffs, the transporting officers shall conduct a full and thorough search of the prisoner for weapons.
- b. Handcuffs shall remain on prisoners until the booking officer instructs that they be removed.
- c. After handcuffs are removed, the arrestee shall be ordered to remove all articles or items of personal property that [s]he is carrying/wearing.
- d. After the arrestee claims to have removed all personal effects from his/her person, [s] he will be subject to a search by an officer, of the same gender, including a search of all outer clothing worn by the arrestee. If a female officer is unavailable to search a female arrestee, then the Officer in Charge will contact surrounding towns and/or MCI Framingham to request a female for assistance.
- e. Any container or article found on the arrestee's person or carried by him shall be opened and its contents inventoried.
- f. Papers, documents or other-writings found on the arrestee's person may be examined only to the extent necessary to check the arrestee's identity, ensure the arrestee's physical safety, ensure the removal of items dangerous to cell administration, and protect the department from charges of theft.
- g. Any search of an arrestee's papers, or other possessions, for investigative purposes may be affected only upon obtaining either the arrestee's written consent or a search warrant.
- h. After a complete inventory search is conducted, all items removed from the prisoner during the inventory search shall be itemized, and placed for safekeeping in a locker. Any items of arrestees' property, including bicycles, that are too large to place in the property lockers, will be placed in **Property Room A** and labeled with the arrestees name and case number. The location of this property should be noted on the booking sheet
- i. During the inventory procedures, the officer shall list the prisoners property on the booking form listing in detail all of the property belonging to and taken from the arrestee during the search.

Thereafter, the report shall be signed by the arrestee and witnessed. (If the arrestee refuses to sign the report, that fact should be noted on the report.).

- j. Any contraband shall be confiscated, tagged as evidence, and its description and disposition shall be noted on the inventory report.
- k. A strip or visual cavity search of an arrestee is allowed only if officers have **probable cause** to believe that the arrestee is concealing contraband or weapons on his body. The Officer in Charge must approve any such searches. Strip / visual cavity searches shall only be conducted by officers who are the same gender as the arrestee, and shall only in areas that afford privacy. Only the searching individual should be able to see the person being searched **unless circumstances exist such as officer safety and then only the appropriate number of officers to conduct a safe search**. The officer/employee conducting the strip/visual body cavity search shall not touch or prod any body part **unless exigent circumstances exist which must be included in report required by searching officer**.
- l. To conduct a manual body cavity search, the express approval of the officer-in-charge must be obtained, as well as a search warrant signed by a judge. There must be a strong showing of particularized need supported by a high degree of probable cause before such a search can take place. If an officer has probable cause that an arrestee may have swallowed or otherwise secreted contraband and/or weapons in any body cavity, the officer should immediately transport the arrestee to a medical facility and seek a search warrant authorizing a medical professional to conduct a body cavity search.
- m. After conducting a strip or body cavity search of any type, regardless of the results, the searching officer shall submit a complete narrative, outlining all facts and circumstances relied upon in conducting the search.

## VIII. BOOKING RECORDS AND PROCEDURE

- a. The booking officer shall complete a booking form (arrest sheet) for every person taken into custody by this department. These forms shall serve as the permanent arrest/detention record of the individual arrested/detained, and shall contain:

- b. Biographical data on the arrestee including: name, address, social security number, telephone number, date and place of birth, age, marital status, names of parents and spouse
- c. Information about the crime including the offense(s) with which the individual is charged and the arresting officer's name(s)
- d. Physical description of the arrestee, including: sex, race, height, weight, color of hair and eyes, complexion, build, scars, marks, or tattoos, and physical condition, i.e., body deformities, trauma markings, bruises
- e. A sequential booking number and case number. These numbers are generated sequentially and can be assigned automatically by the computerized booking system. The case number is linked to the Department's electronic records management system.
- f. A "file number" will also be computer generated and assigned at booking to each individual arrested by this department. The "file number" will be unique to each person and will remain with that person regardless of how many times [s] he has been arrested. The "file number" will identify an arrestee to his/her booking photographs.
- g. The above information is stored electronically in the Department's in-house computer system and is indexed by file number. The file number is a computer-assigned sequential number used to identify a specific person and all incidents / records that pertain to that person. The file number will also be used to link the digital "mug shot" to the arrestee. If a previous master name record for an arrestee already exists, the booking officer shall update the information so that the Department has the most current information on file.
- h. Officers shall fingerprint all arrestees using the fingerprint scanner. A hardcopy of the fingerprints will be printed in the communications area. The electronic scanned image is submitted to the Identification Section of the Massachusetts State Police, for submission to the Federal Bureau of Investigation. The Department's Identification Section shall maintain all fingerprint cards in an indexed file. The booking information and the arrestee's photographs shall be stored electronically in the Department's in-house computer system.
- i. The booking officer shall take 2 photographs of all arrestees, 1 front view and 1 profile. These photographs will be stored electronically by the Department's digital imaging system. The photographs will

be indexed by file (identification number). This number is a unique sequentially assigned number that is automatically generated by the booking computer and allows for cross-referencing of all subsequent contacts, incidents, and arrests.

- j. The arresting officer shall complete an arrest report for every arrest. The arresting officer shall at least complete an initial report before the arrestee is to be arraigned. In the arrest report, the arresting officer shall, at minimum,
  - Describe the facts giving rise to probable cause to affect the arrest
  - Identify the arrestee, including all available biographical data
  - Identify the time and place of arrest
  - Specify the charges for which the arrest has been made, including the citation to the statute(s), which the arrestee has allegedly violated
  - Identify any assisting / transporting officers
  - Include any other information relevant to the prosecution of the crime(s) charged.

## IX. COMPUTER CHECKS

- a. A computer wanted check (Q1 & WMS) will be run on all persons arrested or held in protective custody. The hard copy produced will be attached to the booking form.
- b. A Board of Probation check will be run on all persons arrested by this department who will be bailed from this facility. The hard copy produced will be attached to the booking form.
- c. A Q5 query on the CJIS/LEAPS computer shall be run on every person to be detained in the department's holding facility, and the hard copy produced shall be attached to the booking form.
- d. Any detainee who exhibits any signs or symptoms of suicidal behavior or whose name appears on the Q5 query should either be transported to the hospital or the booking officer will notify a mental health clinician for immediate evaluation when deemed necessary by officer-in-charge. The officer-in-charge shall institute a suicide watch until such time as the detainee is released from custody or transferred to another agency.
- e. Whenever any detainee attempts or threatens suicide within the holding facility, the officer-in-charge shall, within **twenty-four hours** of such incident, record in the Department of Public Safety computer:

- i. the name,
- ii. address,
- iii. age of the detainee,
- iv. the charge or reason for detention,
- v. the nature and date of the attempt or threat.<sup>ix</sup>

## X. PRISONER'S RIGHTS

- a. The Booking Officer shall:
  - i. Inform the prisoner of his/her rights, including the right to consult with an attorney, by reading the Miranda Warning from a printed card when appropriate.
  - ii. Inform the prisoner again of his/her right to the use of the telephone. [S]he shall be allowed to exercise this right in order to contact family or friends, to arrange for bail, or to contact an attorney.
  - iii. If arrestee/protective custody wishes to use the telephone, he/she should be instructed to use the phone located in the booking area. If they place a telephone call from a departmental telephone on a recorded line they **must be advised that they are talking on a recorded line.**
- b. Any person arrested and held in custody for **operating a motor vehicle while under the influence** of intoxicating liquor shall:
  - i. Be informed of his right to a doctor's examination by giving him a copy of the applicable statute unless a copy of that section is posted in a conspicuous place to which the arrested person has access.<sup>x</sup>
  - ii. Be advised of the implied consent law and the right to a Breathalyzer test by the booking officer who shall read from a printed card.<sup>xi</sup>
  - iii. If the arrestee agrees to take the Breathalyzer test, a certified operator will administer the test, and the results will be made available to the arrestee by showing him the digital display of the second test and the printed test record produced.
- c. All persons arrested by this department shall be fingerprinted and photographed in accordance with current department policy and procedures.

- d. If the court is in session when the booking process and all related arrest reports are completed, it shall be the responsibility of the Shift Commander to ensure that the prisoner is transported to the court without delay.
- e. If the court is not in session when the booking process and all related reports are completed, the arrestee shall be confined in the holding facility until bail can be arranged, or if bail cannot be arranged, until the next session of the court. It shall be the responsibility of the Shift Commander to ensure that an arrestee's opportunity to make bail is not impeded.
- f. When a child **between the ages of 7 and 17** is arrested, the Officer-in-Charge of the police station shall:
  - i. Notify the probation officer for the district court or juvenile court for the judicial district in which the juvenile was arrested, and at least one of the child's parents, legal guardian, or the person with whom the child resides; and
  - ii. Inquire into the situation to ensure that proper cause for the arrest existed and that the juvenile was and is treated in accordance with the law.
  - iii. The juvenile may be detained pending such notice and inquiry.
  - iv. The department's juvenile officer/division should be informed of the arrest as soon as possible.
  - v. Lockup and other detention facilities shall be such as prevent juveniles who are detained from coming in contact with adult prisoners and the facility must be approved in writing by the Commissioner of Youth Services.

## **XI. HANDLING VIOLENT INTOXICATED, ETC. PERSONS**

- a. Any prisoner who is uncontrollable due to the influence of alcohol or narcotic drugs, or is violent or otherwise self-destructive, shall, if transportation or removal to a detoxification or other mental health facility is not feasible, be isolated as deemed appropriate by the Shift Commander.
- b. Under no circumstances shall this type of prisoner be placed in a cell occupied by another person. If segregation of the prisoner into a single occupancy cell is not deemed or found to be sufficient for

protection of the prisoner or the facility, the Officer in Charge shall take such action as is legal, safe, and effective to restrain any actions by the prisoner that would be detrimental to himself, other occupants, the police officers on duty, and/or the facility. In cases where the prisoner's actions pose a definite threat to the security of the holding facility, the Officer in Charge shall attempt to make arrangements with corrections officials for immediate transfer to their custody.

- c. Segregation shall not involve any other penalization other than the segregation itself. There shall be no abridgment of rights or privileges that would normally be granted any other prisoner.
- d. Above and beyond all measures taken to protect all concerned, there shall be continuous monitoring of this type of individual through video and/or audio monitors, and, if deemed necessary by the officer-in-charge, by continuous personal observation in lieu of the thirty-minute cell check.

## **XII. RECEIVING PRISONERS FROM AN OUTSIDE AGENCY**

- a. Only when the officer-in-charge is satisfied that the arrest and confinement are legitimate shall the prisoner be received into the department's holding facility.
- b. The Officer in Charge shall verify the identity of the officer (person) presenting the detainee by checking his/her official identification, including verification of the person's authority to make the commitment.

## **XIII. RELEASE OF A DETAINEE**

- a. All personal property taken from a prisoner shall be returned to the prisoner upon release from custody.
- b. All items shall be compared to the items listed on the booking form and the individual shall be requested to sign the form indicating that he has received the property. A refusal to sign shall be noted in writing.
- c. Any items that were held for evidence or as contraband shall be indicated on the inventory section of the Standard Offense Report.
- d. Before a detainee is released, the Officer in Charge will have verified the positive identification of the detainee as described in sections IX. Also, the releasing officer will confirm that the prisoner

being released matches the photograph of the prisoner on the booking sheet.

- e. The following procedures shall apply in the event that a prisoner is transferred to another agency or to the court.
- f. The Shift Commander shall inform the officer(s) or official(s) receiving the prisoner, in writing, of any or all of the following circumstances:
- g. The prisoner's name is in the C.J.I.S. computer under the Q5 query;
- h. The prisoner exhibited signs and symptoms of a potentially suicidal person;
- i. The prisoner attempted or threatened to commit suicide while being detained in the holding facility;
- j. The prisoner has been evaluated at an area hospital and the results of that evaluation;
- k. The prisoner has been the subject of a suicide prevention watch while being detained in the holding facility; and/or
- l. The escape potential of the prisoner or any special risk the prisoner may present.
- m. A juvenile shall be released:
  - n. To a parent, guardian, or other reputable person upon acceptance, by the Shift Commander, of the written promise of such person to be responsible for the appearance of the juvenile in court at the required time and place,<sup>xii</sup> or
  - o. To a probation officer upon the request by such officer that the juvenile be released to him.<sup>xiii</sup>
  - p. NOTE: If the arresting officer requests in writing that a child between fourteen and eighteen years of age be detained, and if the court issuing a warrant for the arrest of a child between fourteen and eighteen years of age directs in the warrant that such child shall be held in safekeeping pending his appearance in court, or, if the probation officer shall so direct, such child shall be detained in the police lockup, or place of temporary custody commonly referred to as a detention home of the Department of Youth Services, or any other home approved by the Department of Youth Services, pending his appearance in court.<sup>xiv</sup>



#### **XIV. PRISONER'S MEALS**

- a. Prisoners being held in our facility shall be given meals at the below listed intervals.
- b. All meals (special circumstances excluded) will be provided by the food service at M.C.I. Framingham.
- c. The Shift Commander or his designee will call **875-5258 EXT 140** and advise the kitchen how many meals will be needed for the Framingham Police.
- d. Orders must be placed no later than the following times:
  - a. Breakfast (0700)**
  - b. Lunch (1100)**
  - c. Dinner (1600)**
- e. The kitchen staff will advise the caller what time the meals are to be picked up. The Shift Commander or his designee will arrange for a cruiser to pick up the meal container at the station; pick up the meals at the main entrance to M.C.I.; and return to the station. Meals will then be distributed to prisoners. All meals will be provided in disposable Styrofoam containers.
- f. The Shift Commander or his designee will forward all receipts to the payroll office at the end of shift, to facilitate billing when Commanding Officer finds it necessary to get meals at another location.
- g. It shall be the responsibility of the Shift Commander to see that all utensils and containers are removed from the cell upon completion of the meal (recommended after 30 minutes).
- h. The Shift Commander shall ensure that a notation is made on the prisoner's booking sheet, indicating the date and time a meal is provided.
- i. Any special diet that is required in accordance with treatment prescribed by a licensed physician will be granted whenever possible within the parameters of cost effectiveness and available resources.

#### **XV. ACCESS TO CELL BLOCK AREA AND VISITATION RIGHTS**

Access to the holding facility by non-essential personnel, including department employees, maintenance and clerical staff shall be prohibited while the cells are occupied. (Only in the case of an emergency, shall maintenance personnel be allowed access to make necessary repairs. Note: No tools are allowed in the cell block area except with the specific authorization of the officer in charge. Once repairs are made, the officer in charge, or his designee, will check the cell area to ensure no tools have been left behind)) Access shall be limited to those individuals approved by the officer-in-charge, and subject to the following rules:

- a. The person shall be required to properly identify himself. Positive picture identification, preferably a driver's license, is required. Visitor's identity shall be noted on the booking form.
- b. The person shall be notified prior to gaining access to the cellblock area that he and his belongings are subject to a search upon entrance to and exit from the area. This search will be done at the discretion of the officer-in-charge.
- c. The visitation period shall be for a reasonable amount of time. This time period is up to the discretion of the officer-in-charge, but in general, except in the case of any attorney, fifteen minutes should be sufficient.
- d. Attorneys for the prisoner may be admitted to the cellblock area at any time for consultation with their client.
- e. Immediate members of the detainee's family may be granted access to the cellblock area; however, no more than two family members shall be allowed to enter the cellblock at the same time.
- f. Non-relatives or friends of the prisoner do not have visitation rights. It will be the decision of the officer-in-charge regarding any special or extenuating circumstances that might justify such individuals being allowed to visit the prisoner.
- g. Members of the media shall have access to the cellblock area only when the area is unoccupied. No member of the media shall have access to the cellblock area when there is a prisoner being detained there, except with the specific authorization of the chief of police. Such access shall be limited to the instructions given by the chief.

- h. Tour groups shall be allowed in the cellblock area only when the cellblock is unoccupied.
- i. Except in the case of an attorney's visit with his client, the officer-in-charge should assign the police desk officer to be in the cellblock area during any visitation.

## **XVI. MASS ARREST PROCEDURES**

- a. During the course of a civil disturbance, mass arrests may become a reality and must be handled quickly and efficiently providing for transportation to jail, release on bail, constitutional rights, etc.
- b. All departmental vehicles will be available for transportation of officers and equipment to the scene, and for prisoner transportation from the scene. If additional transportation is required, the State Police and or the Middlesex Sheriff's Department may be contacted and buses requested.
- c. Arrested persons will be removed from the point of the disturbance and brought to a location where booking will take place. This may be the police station or any other location directed by the Shift Commanding Officer. The Shift Commanding Officer will establish a booking team to process prisoners. Booking team duties will include:
  - Booking of arrested persons are in accordance with current procedures in Booking Procedures Policy for adults as well as juveniles.
  - Obtaining medical information.
  - Providing the use of a telephone.
  - Photographing and fingerprinting.
  - Transporting to district court.
- d. The Department Prosecutor will serve as liaison with the District Attorney's Office during any mass arrest.
- e. The Public Information Officer or his/her designee shall handle all requests for press releases.
- f. If the number of prisoners exceed the maximum number of detention cells, the Commanding Officer will contact the Middlesex

Sheriff's Office, surrounding towns and the State Police-Framingham for additional holding cells.

## **XVII. TEMPORARY DETENTION/INTERVIEW ROOMS.**

1. It may become necessary to temporarily place someone who is in custody in a room other than a detention cell. There is a temporary detention/interview room located in the Booking Area (next to the Juvenile cells). There are also interview rooms located in the Detective bureau. The Shift Commander must first approve placing a prisoner in a temporary detention area. The temporary detention room/areas may be used for the following circumstances.
  - Interview/Interrogate a prisoner,
  - Examine prisoner for evidence,
  - Juvenile arrested for Status Offence
  - Temporarily detain a prisoner due to lack of cell space.
  - Male, Female, and Juvenile prisoner separation
2. At no time will any officer of this Department leave a detainee unattended outside the confines of the holding facility. Whenever a detainee is held in any room, space or area outside of the confines of the holding facility, he/she is to be under the continual, direct, personal supervision of an officer (or cell monitor) who can immediately intervene on behalf of the agency or the detainee.
3. Firearms are not permitted in an interview/detention room
4. The detainee is to be thoroughly searched prior to leaving the cell and when returned to the cell
5. Detainees removed from a cell will be handcuffed and monitored to insure that [s]he does not pick anything up while being escorted,
6. Officers are strongly encouraged to leave the detainee handcuffed during an interview
7. At least 2 officers are to escort detainees from a cell to an interview room and during the return to the cell.
8. The escorting officers shall not wear firearms

9. For security reasons, officers should consider using the interview room in the Holding Facility instead of the interview rooms in the Detective Bureau.
10. Unless required by unusual circumstances, there should be no more than two officers present in the interview room. The interviewing officer should advise other officers that [s]he is conducting an interview so that other officers are available for back-up and assistance in the event that the detainee becomes unruly or assaultive.
11. No items that may be used as a weapon (striking tool, etc) are to be within the room with the detainee during the interview.
12. Detainees must have access to water and escorted restroom breaks (if needed) during interviews.

**a. HOLDING CELL**

This cell is located in the Booking Area in front of the Sally port door. It is used for detaining:

- Unruly/combatant prisoner waiting to be booked (while other prisoners are being booked).
- Housing prisoners when there is no vacant cell available
- Prisoners who have caused or attempted to cause damage to their original cell (i.e. damage to plumbing fixtures)

**b. MURPHY BAR**

Prisoners may only be secured to immovable objects that are designed and intended for such use.

The Murphy bar is located along the back wall of the Booking Area in front of the Sally- port door. When multiple prisoners are within the Booking area, they shall be seated on the bench in front of the Murphy bar with one of their hands handcuffed to the bar. When the booking officer is ready to accept a new prisoner, the arresting officer will remove the handcuff from the Murphy bar and escort the person to the booking desk. The Murphy bar may also be used in extreme situations where there are no detention cells available.

**c. MONITORING TEMPORARY DETAINEES/HOLDING AREAS.**

The Shift Commander will assign an officer/detective to provide continuous monitoring of any detainee taken outside of the holding facility, (i.e. Detective Bureau, Identification Bureau, etc.) Reasonable requests for water, restroom access and other needs i.e. medications will be honored.

**d. EXCEEDED CAPACITY**

If the numbers of prisoners exceed the maximum number of detention cells/ accommodations available, the Shift Commander will contact the following agencies for assistance in housing prisoners: Massachusetts State Police, Middlesex Sheriff's Department, surrounding police departments.

**XVIII. PACKAGES DELIVERIES FOR PRISONERS**

Unless special circumstance exist (see below) articles to be delivered to prisoners should be denied. The prohibition of articles delivered to prisoners is not absolute. Prisoners may be detained for a protracted period of time and therefore may require certain items to sustain basic needs. The Commanding Officer will decide if a prisoner may accept an article. Special circumstances are, but not limited to:

- Medications
- Bail money
- Special dietary considerations (diabetic, religious, etc)
- Clothing (if prisoner does not have sufficient clothing)

When the Commanding Officers decides that a prisoner may accept an article, the item must be first inspected for weapons, contraband, or threats to the building's facility. The item should then be placed in the prisoner's property locker (unless immediately needed) and recorded on the prisoner property inventory. The Commanding officer (or designee shall inform the prisoner that the item has been delivered in his/her behalf.

**XIX. EMERGENCY EVACUATION ROUTES AND PROCEDURES**

- a. In The event of fire or other situation that presents a hazard or danger to those being held in the holding area, it shall be the responsibility of the Commanding Officer to oversee the safe evacuation of all prisoners.

- **The first obligation in an emergency evacuation of prisoners will be the safety of the prisoners. While important, the maintenance of custody must be secondary to the safe removal of prisoners from the area of danger.**
- The fire department will be immediately notified of any circumstance warranting emergency evacuation of the cell blocks.
- Prisoners will be removed from their cell s and handcuffed, if time and circumstances allow.

A standard fire extinguisher is located in booking area above the staircase from the basement.

b. Cell Block Evacuation

- The safest of the following evacuation routes will be followed:
- Through the side FIRE DOOR in the male cell area and held under guard until safe to return. **NOTE: A cell door key must be used to exit the building.**
- Through the Booking Area into the Sallyport to be held under guard until safe to return. **NOTE: A Sallyport key must be used to exit the building.**

c. Prisoner Security After Evacuation

- After prisoners have been removed from the holding facility, the following measures may be taken, depending upon the circumstances:
- Prisoners shall be guarded by a sufficient number of officers to maintain security.
- If prisoners are removed from the building, they shall, as soon as possible, be placed in cruisers until it is safe to return or other arrangements can be made.
- If re-entry will not be possible within a short period of time, the Commanding Officer will make arrangements with neighboring police departments/State Police to temporarily house our prisoners.

- If a prisoner requires medical treatment following evacuation, the Commanding Officer shall arrange transportation according to established procedures.

## **XX. ESCAPE**

1. If a prisoner escapes during arrest, transportation, or booking, the officers will notify the dispatcher (via radio if not at the station) giving as much information as possible, including the following:
  - a. Prisoner's name, if known;
  - b. Description, including clothing;
  - c. Area where escape occurred;
  - d. Direction of flight;
  - e. Probable destination, if known; and
  - f. Any other pertinent information available.
2. The officers will begin an area search and attempt to regain custody of the prisoner.
3. The dispatcher will immediately notify the officer-in-charge of the prisoner escape and he will deploy additional officers as necessary.
4. The dispatcher shall then broadcast the same information to other area departments and agencies over the radio system;
5. As soon as possible, a message shall be sent over the LEAPS Teletype system, advising other departments and agencies of the situation; and,
6. The officer responsible for the prisoner who escaped shall, before the end of the shift, submit a written report detailing the events leading to the escape to the officer-in-charge.
7. The officer-in-charge will also submit a written report concerning the events leading to the escape, the actions taken to regain custody, and any recommendation concerning possible corrective measures or department disciplinary proceedings.
8. All threats, indicated or perceived, against the structure of the police facility or any person therein, shall be reported immediately to the Shift Commander. Upon being notified of the



threat, the Shift Commander shall take whatever action he deems necessary to negate the effect or consequences of the threat and shall file a written report of the incident to the Chief of Police or his designee.

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<sup>i</sup>M.G.L. c. 40, s. 34

<sup>ii</sup>M.G.L. c. 40, s. 36A-C

<sup>iii</sup>M.G.L. c. 6, ss. 168-171

<sup>iv</sup>M.G.L. c. 66A

<sup>v</sup>M.G.L. c. 40, s. 36A

<sup>vi</sup>M.G.L. c. 40, s. 36A-C

<sup>vii</sup>M.G.L. c. 276, s. 33

<sup>viii</sup>M.G.L. c. 276, s. 33A

<sup>ix</sup>M.G.L. c. 40, s. 36A

<sup>x</sup>M.G.L. c. 263, s. 5

<sup>xi</sup>M.G.L. c. 90, s. 24

<sup>xii</sup>M.G.L. c. 119, s. 67

<sup>xiii</sup>M.G.L. c. 119, s. 67

<sup>xiv</sup>M.G.L. c. 119, s. 67